

REMARKS/ARGUMENTS

The office action of June 15, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

The specification is amended to update reference information to related matters. Claims 1, 8, and 16 are amended. Claims 22-27 are withdrawn. Claim 25 is canceled. No new matter is added.

Restriction

Applicants confirm election of the claims of Group I (claims 1-21) for examination.

Claim Objection

Claim 25 has been canceled. The objection should be withdrawn.

Double Patenting

Applicant hereby submits a Terminal Disclaimer. The rejection should be withdrawn

Rejection of claims under 35 U.S.C. § 102

Claims 1, 3-5 and 7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Stephens (U.S. Patent No. 5,734,254). This rejection is respectfully traversed.

Claim 1 as amended recites, among other things, a communication bus comprising at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal. Stephens fails to teach or suggest the communication bus.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because Stephens fails to teach each and every element as set forth in claim 1, the rejection should be withdrawn.

Claims 3-6 and 7 depend from claim 1 and are allowable for at least the reasons set forth above for claim 1.

Claims 8, 10, and 11 were rejected under 35 U.S.C. § 102 as being anticipated by Parks (U.S. Patent No. 5,455,466). This rejection is respectfully traversed.

Claim 8 as amended recites, among other things, the connector in communication with the battery pack via at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal. Parks fails to teach or suggest the first wire and the second wire. Therefore, the rejection should be withdrawn.

Claims 10 and 11 depend from claim 8 and are allowable for at least the reasons set forth above for claim 8.

Claims 16, 17, and 21 were rejection under 35 U.S.C. § 102 as being anticipated by Garcia (U.S. Patent No. 5,963,012). This rejection is respectfully traversed.

Claim 16 recites, among other things, a polling message. Garcia fails to teach or suggest a polling message. The Office Action cites Garcia at col. 2, lines 47-59 as providing a polling message, however, Garcia merely discloses a sensor reading battery cell parameters and transferring the battery parameter information to an external source. There is no teaching or suggestion in Garcia of a polling message.

Also, claim 16, as amended, recites, among other things, that the polling message includes energizing and de-energizing of a transmission element in the source at a predetermined elapsed time value. Garcia fails to teach or suggest such a polling message. Therefore, the rejection should be withdrawn.

Claims 17 and 21 depend from claim 16 and are allowable for at least the reasons set forth above for claim 16.

Rejection of claims under 35 U.S.C. § 103(a)

Claims 2 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stephens in view of Stobbe (U.S. pat No. 6,275,143). This rejection is respectfully traversed.

Claims 2 and 6 depend from claim 1. As set forth above, Stephens fails to teach or suggest claim 1 as amended. Stobbe fails to make up for the deficits of Stephens. Neither Stephens nor Stobbe, either alone or in combination, teaches or suggests a communication bus comprising at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal, for example.

To establish *prima facie* obviousness of a claimed invention, all the claim features must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Because the combination of Stephens and Stobbe fails to teach or suggest all claim features, the rejection should be withdrawn.

Claims 9, 13, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Stobbe. This rejection is respectfully traversed.

Claims 9, 13 and 15 depend from claim 8. As set forth above Parks fails to teach or suggest claim 8 as amended. Stobbe fails to make up for the deficits of Parks. Neither Parks nor Stobbe, either alone or in combination teaches or suggests a connector in communication with a battery pack via at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal, for example. Therefore, the rejection should be withdrawn.

Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Wendelrup (U.S. Pat. No. 6,291,966). This rejection is respectfully traversed.

Claim 12 depends from claim 8. As set forth above Parks fails to teach or suggest claim 8 as amended. Wendelrup fails to make up for the deficits of Parks. Neither Parks nor Wendelrup, either alone or in combination teaches or suggests a connector in communication with a battery pack via at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal, for example. Therefore, the rejection should be withdrawn.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Parks in view of Garcia. This rejection is respectfully traversed.

Claim 14 depends from claim 8. As set forth above Parks fails to teach or suggest claim 8 as amended. Garcia fails to make up for the deficits of Parks. Neither Parks nor Garcia, either alone or in combination teaches or suggests a connector in communication with a battery pack via at least a first wire and a second wire, the first wire for data transfer and the second wire for transmitting a clock signal, for example. Therefore, the rejection should be withdrawn.

Claims 18, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garcia in view of Stobbe, Garcia, or Wendelrup, respectively. These rejections are respectfully traversed.

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Claims 18-20 depend from claim 16. As set forth above Garcia fails to teach or suggest claim 16 as amended. Stobbe, Garcia, and/or Wendelrup fail to make up for the deficits of Garcia. Neither Garcia nor Stobbe, Garcia, and/or Wendelrup, either alone or in combination teaches or suggests a polling message or that the polling message includes energizing and de-energizing of a transmission element in the source at a predetermined elapsed time value, for example. Therefore, the rejection should be withdrawn.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same.

Respectfully submitted,

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